

IC 20-28-2

Chapter 2. Division of Professional Standards

IC 20-28-2-0.3

Professional standards board abolished; transfer of property, powers, duties, assets, liabilities, money, and appropriations; treatment of rules, references, permits issued; status of pending proceedings; board members

Sec. 0.3. (a) The professional standards board (previously established by section 1 of this chapter) is abolished.

(b) The following are transferred on July 1, 2005, from the professional standards board to the department:

(1) All real and personal property of the professional standards board.

(2) All powers, duties, assets, and liabilities of the professional standards board.

(3) All appropriations to the professional standards board.

(c) Money in the professional standards board licensing fund established by P.L.224-2003, SECTION 9 is transferred on July 1, 2005, to the professional standards fund established by section 10 of this chapter.

(d) Rules that were adopted by the professional standards board before July 1, 2005, shall be treated as though the rules were adopted by the advisory board of the division of professional standards of the department established by section 2 of this chapter, as amended by P.L.246-2005.

(e) After June 30, 2005, a reference to the professional standards board in a statute or rule shall be treated as a reference to the division of professional standards established by section 1.5 of this chapter.

(f) The members appointed before July 1, 2005, to the professional standards board:

(1) become members of the advisory board for the division of professional standards established by section 2 of this chapter; and

(2) may serve until the expiration of the term for which the members were appointed.

(g) A license or permit issued by the professional standards board before July 1, 2005, shall be treated after June 30, 2005, as a license or permit issued by the department.

(h) Proceedings pending before the professional standards board on July 1, 2005, shall be transferred from the professional standards board to the department and treated as if initiated by the department.
As added by P.L.220-2011, SEC.334.

IC 20-28-2-1

Department authority over teacher education, licensing, and professional development

Sec. 1. Except as provided in section 6 of this chapter, the department has the sole authority and responsibility for governing

teacher education and teacher licensing matters, including professional development.

As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.136.

IC 20-28-2-1.5

Division of professional standards; established

Sec. 1.5. The division of professional standards is established within the department to administer the responsibilities of the department described in section 1 of this chapter.

As added by P.L.246-2005, SEC.137.

IC 20-28-2-2

Repealed

(As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.138; P.L.2-2007, SEC.213; P.L.234-2007, SEC.107; P.L.3-2008, SEC.117. Repealed by P.L.90-2011, SEC.50.)

IC 20-28-2-3

Repealed

(As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.139. Repealed by P.L.90-2011, SEC.50.)

IC 20-28-2-4

Repealed

(As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.140. Repealed by P.L.90-2011, SEC.50.)

IC 20-28-2-5

Repealed

(As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.141. Repealed by P.L.90-2011, SEC.50.)

IC 20-28-2-6

Adoption of rules; occupational experience awarded for instructor license in cosmetology

Sec. 6. (a) Subject to subsection (c) and in addition to the powers and duties set forth in this article, the state board may adopt rules under IC 4-22-2 to do the following:

- (1) Set standards for teacher licensing and for the administration of a professional licensing and certification process by the department.
- (2) Approve or disapprove teacher preparation programs.
- (3) Set fees to be charged in connection with teacher licensing.
- (4) Suspend, revoke, or reinstate teacher licenses.
- (5) Enter into agreements with other states to acquire reciprocal approval of teacher preparation programs.
- (6) Set standards for teacher licensing concerning new subjects of study.

(7) Evaluate work experience and military service concerning postsecondary education and experience equivalency.

(8) Perform any other action that:

(A) relates to the improvement of instruction in the public schools through teacher education and professional development through continuing education; and

(B) attracts qualified candidates for teacher education from among the high school graduates of Indiana.

(9) Set standards for endorsement of school psychologists as independent practice school psychologists under IC 20-28-12.

(10) Before July 1, 2011, set standards for sign language interpreters who provide services to children with disabilities in an educational setting and an enforcement mechanism for the interpreter standards.

(b) Notwithstanding subsection (a)(1), an individual is entitled to one (1) year of occupational experience for purposes of obtaining an occupational specialist certificate under this article for each year the individual holds a license under IC 25-8-6.

(c) The state board may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to establish procedures to expedite the issuance, renewal, or reinstatement under this article of a license or certificate of a person whose spouse serves on active duty (as defined in IC 25-1-12-2) and is assigned to a duty station in Indiana.

As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.142; P.L.2-2007, SEC.214; P.L.144-2007, SEC.18; P.L.12-2009, SEC.1; P.L.30-2010, SEC.2; P.L.90-2011, SEC.13; P.L.286-2013, SEC.86.

IC 20-28-2-7

Recommendations

Sec. 7. (a) The department may recommend to the general assembly for consideration measures relating to the department's powers and duties that improve the quality of teacher preparation or teacher licensing standards.

(b) The department shall submit to the general assembly before November 1 of each year a report:

(1) detailing the findings and activities of the department, the division, and the advisory board; and

(2) including any recommendations developed under this chapter.

A report under this subsection must in an electronic format under IC 5-14-6.

As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.143.

IC 20-28-2-8

Advisory committees; expenditure of funds; budget

Sec. 8. (a) The department may, subject to approval by the budget

agency, do the following to administer the responsibilities of the department under this chapter:

(1) Establish advisory committees the department determines necessary.

(2) Expend funds made available to the department according to policies established by the budget agency.

(b) The department shall comply with the requirements for submitting a budget request to the budget agency as set forth in IC 4-12-1, for funds to administer the responsibilities of the department described in section 1 of this chapter.

As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.144; P.L.90-2011, SEC.14.

IC 20-28-2-9

Orders

Sec. 9. IC 4-21.5 applies to orders issued by the department under this chapter.

As added by P.L.1-2005, SEC.12. Amended by P.L.246-2005, SEC.145.

IC 20-28-2-10

Professional standards fund

Sec. 10. There is established the professional standards fund to be administered by the department. The fund consists of fees collected under this chapter. Money in the fund does not revert to the state general fund at the end of a state fiscal year.

As added by P.L.246-2005, SEC.146.

IC 20-28-2-11

Teacher recruitment and retention initiatives

Sec. 11. The department shall collaborate with nonprofit entities, the commission for higher education, and state educational institutions to develop and implement initiatives focusing on the recruitment and retention of qualified educators from underrepresented populations. The initiatives should include, but are not limited to, the following activities:

(1) Development of a recruitment plan for underrepresented and teacher shortage areas.

(2) Production of a web site as a communication tool that provides resource information and scholarship opportunities.

(3) Development of a research agenda and network support system at each state educational institution to remove barriers and address challenges faced by students of underrepresented populations in order to recruit, retain, and graduate these students.

As added by P.L.10-2009, SEC.1.